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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA

8 Scott Warren Boe,

9 Plaintiff,

10 vs.

11 Charles L. Ryan, et al.,

12 Defendants.
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No. CV-15-02479-PHX-SPL (DMF)

ORDER

15 On April 28, 2016, Plaintiff Scott Warren Boe filed a Motion for Leave to File
16 Supplemental Pleading (Doc. 38), in which he requests permission to file a lodged second
17 amended complaint. On July 6, 2016, the Honorable Deborah M. Fine, United States
18 Magistrate Judge, issued a Report and Recommendation (“R&R”) (Doc. 45),
19 recommending that the Court deny the motion. Judge Fine advised Plaintiff that he had
20 fourteen (14) days to file objections to the R&R and that failure to file timely objections
21 could be considered a waiver of the right to obtain review of the R&R. *See also* 28
22 U.S.C. § 636(b)(1); Fed. R. Civ. P. 6, 72; *United States v. Reyna-Tapia*, 328 F.3d 1114,
23 1121 (9th Cir. 2003).

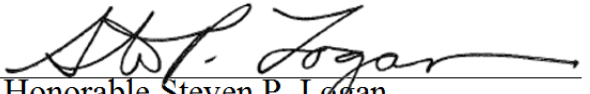
24 No timely objection has been filed, which relieves the Court of its obligation to
25 review the R&R. *See Reyna-Tapia*, 328 F.3d at 1121; *Thomas v. Arn*, 474 U.S. 140, 149
26 (1985) (“[Section 636(b)(1)] does not . . . require any review at all . . . of any issue that is
27 not the subject of an objection.”); Fed. R. Civ. P. 72(b)(3) (“The district judge must
28 determine de novo any part of the magistrate judge’s disposition that has been properly

1 objected to.”). The Court has nonetheless reviewed the R&R and finds that it is well-
2 taken. The Court will adopt the R&R and deny the motion. *See* 28 U.S.C. § 636(b)(1)
3 (stating that the district court “may accept, reject, or modify, in whole or in part, the
4 findings or recommendations made by the magistrate”); Fed. R. Civ. P. 72(b)(3) (“The
5 district judge may accept, reject, or modify the recommended disposition; receive further
6 evidence; or return the matter to the magistrate judge with instructions.”). Accordingly,

7 **IT IS ORDERED** that Magistrate Judge’s Report and Recommendation (Doc. 45)
8 is **accepted** and **adopted** by the Court.

9 **IT IS FURTHER ORDERED** that Motion for Leave to File Supplemental
10 Pleading (Doc. 38) is **denied**.

11 Dated this 26th day of July, 2016.

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14 Honorable Steven P. Logan
15 United States District Judge
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